

CONFERENCE COMMITTEE REPORT DIGEST FOR ESB 337

Citations Affected: IC 8-21; IC 36-7.

Synopsis: Airport area construction. Provides that a person applying to the Indiana department of transportation for a permit for construction in the vicinity of a public use airport of: (1) a structure of a certain height; or (2) a building used for a noise sensitive purpose; must provide notice to the owner of the airport. Provides that a permit for the construction of a building used for a noise sensitive purpose in the vicinity of a public use airport must be filed with the county recorder and must contain a statement in which the permittee acknowledges that the building will be subject to the effects of aircraft operation. Requires the Indiana department of transportation to consider a permit application for 60 days before making a final determination on the application. Requires a person applying for a permit for the construction of a structure of a certain height in the vicinity of a public use airport to provide written evidence that the structure will not violate certain obstruction standards. Applies the obstruction standards to existing airports and heliports as well as to an expansion of an airport or heliport certified by a licensed professional engineer. Provides that, before a plan commission may consider a zoning proposal concerning a structure or building requiring a construction permit from the Indiana department of transportation, the plan commission must have received a copy of the permit issued by the department. (This conference committee report: (1) eliminates provisions concerning energy savings contracts; (2) delays the effective date of the bill until January 1, 2002; (3) eliminates the requirement that a person applying for a permit to erect a structure in the vicinity of a planned expansion of an airport must provide written evidence to the Indiana department of transportation that the proposed structure does not violate certain obstruction standards; and (4) makes a technical correction.)

Effective: January 1, 2002.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 337 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Replace the effective dates in SECTIONS 1 through 8 with
- 2 "[EFFECTIVE JANUARY 1, 2002]".
- 3 Page 4, line 30, delete ":".
- 4 Page 4, line 31, delete "(1)".
- 5 Page 4, line 31, delete "; and" and insert ".".
- 6 Page 4, run in lines 30 through 31.
- 7 Page 4, delete lines 32 and 33.
- 8 Page 5, line 12, delete "public-use" and insert "**public use**".
- 9 Page 5, line 13, delete "public-use" and insert "**public use**".
- 10 Page 5, line 14, delete "public-use" and insert "**public use**".
- 11 Page 5, line 15, delete "public-use" and insert "**public use**".
- 12 Page 6, delete lines 24 through 42.
- 13 Delete page 7.
- 14 Page 8, delete lines 1 through 30.
- 15 Renumber all SECTIONS consecutively
(Reference is to ESB as reprinted April 13, 2001.)

Conference Committee Report
on
Engrossed Senate Bill 337

Signed by:

Senator Server
Chairperson

Representative Hasler

Senator Lewis

Representative McClain

Senate Conferees

House Conferees